



WAGNER MURABITO & HAO LLP
223 Westridge Drive
Watsonville, CA 95076
(408) 938-9060

PATENT APPLICATION

ATTORNEY DOCKET NO. TRMB-1412

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Dennis YORK

Confirmation No.: 9289

Application No.: 10/651,586

Examiner: Peyton, Tammara R.

Filing Date: 08/29/2003

Group Art Unit: 2182

Title: PORTABLE ELECTRONIC INSTRUMENT WITH FIELD-REPLACEABLE BATTERY/INPUT/OUTPUT MODULE

Commissioner For Patents
PO Box 1450
Alexandria, VA 22313-1450

**NOTICE OF APPEAL FROM THE EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES**

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner date, 02/23/2006, rejecting the following claims 1-20. The fee for this Notice of Appeal is (37 CFR 1.17(B)) **\$500.00.**

(complete (a) or (b) as applicable)

The proceedings herein are for a patent application and the provisions of 37 CFR 1.13 6(a) apply.

- ☐ (a) Applicant petitions for an extension of time under 37 CFR 1.136 (FEES: 37 CFR 1.17 (a)-(d) for the total number of months checked below:

☐ 1st Month
\$120

☐ 2nd Month
\$450

☐ 3rd Month
\$1020

☐ 4th Month
\$1590

- ☐ The extension fee has already been filed in this application

- ☒ (b) Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

Please find enclosed a check in the sum of \$ 500.00. At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account **23-0085** pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account **23-0085** under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees. A duplicate copy of this sheet is enclosed.

- ☒ I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
Commissioner for Patents, Alexandria, VA 22313-1450
Date of Deposit: 05/23/06

OR

- ☐ I hereby certify that this paper is being transmitted to the Patent and Trademark Office facsimile number (571)273-8300.

Date of facsimile:

Typed Name: Mary Elias

Signature: Mary Elias

Respectfully submitted,

Dennis YORK

By [Signature]

John P. Wagner, Jr.

Attorney/Agent for Applicant(s)

Reg No.: 35,398

Date: 05/23/06

Telephone: (408) 938-9060